



## Legislation Text

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File #: 23-0334, Version: 1

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**Dept/ Agency:** Economic and Housing Development

**Action:** ( ) Ratifying (X) Authorizing (X) Amending

**Type of Service:** Resolution endorsing referral to the Central Planning Board, as required by law

**Purpose:** Resolution directing the Central Planning Board to review an Ordinance amending and replacing Title 41 of the Municipal Code of the City of Newark (Zoning and Land Use Regulations).

**Additional Information:**

**WHEREAS**, the Central Planning Board (the “Planning Board”) adopted the Newark360 Master Plan and Land Use Element (“Newark360”) at a duly noticed Public Hearing on September 26, 2022 in accordance with N.J.S.A. 40:55D-28; and

**WHEREAS**, Newark360 was the culmination of a multi-year planning and public outreach process during which in-person and virtual meetings were conducted throughout the City of Newark (the “City”) and during which input was received from thousands of residents and stakeholders; and

**WHEREAS**, the N.J.S.A. 40:55D-62 provides municipalities with the power to adopt or amend zoning ordinances; and

**WHEREAS**, such zoning ordinances shall be adopted after the Planning Board adopts a master plan land use element and housing plan element and all the provisions of the zoning ordinance shall be either substantially consistent with the elements or designed to effectuate the elements; and

**WHEREAS**, the proposed amendments to Title 41 of the Municipal Code of the City of Newark (“Zoning and Land Use Regulations”) constitute a wholesale amendment that will replace the Ordinance and are a continuation of the Newark360 process and designed to effectuate the policy statements and recommendations contained therein; and

**WHEREAS**, these proposed amendments to Title 41 shall supersede all development regulations found within the Kent/Brenner/Springfield Redevelopment Plan (6PSF-badpted on April 1, 2009), Old Third Ward Urban Renewal Plan (7RB adopted on June 15, 1960), and Northern Fairmount Neighborhood Redevelopment Plan (6PSF-b(S) adopted on June 30, 2010); leaving all non-development regulatory provisions of these Urban Renewal Plans and Redevelopment Plans in effect; and

**WHEREAS**, the Municipal Council directs the Planning Board to review the proposed new Title 41 Zoning and Land Use Regulations for consistency with the Master Plan, pursuant to N.J.S.A. 40:55D-26.

**NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:**

1. The Municipal Council hereby authorizes Title 41 of the Municipal Code of the City of Newark ("Zoning and Land Use Regulations") attached hereto to be transmitted to the Central Planning Board for its review and comment as to its consistency with the Newark360 Master Plan and Land Use Element.
2. Pursuant to N.J.S.A. 40:55D-26 the Central Planning Board shall review the proposed amendments to Title 41 and transmit its findings to the Municipal Council within thirty-five (35) days of this referral.

**STATEMENT:**

This Resolution directs the Central Planning Board to review the proposed changes amending and replacing Title 41 of the Municipal Code of the City of Newark (Zoning and Land Use Regulations).